

the Court's decision in *United States v. Jones*, 512 U.S. 197, 120 S.Ct. 1304, 130 L.Ed.2d 254 (2004), which held that the government's installation of a GPS device on a vehicle without the owner's consent constituted a search under the Fourth Amendment. The Court in *Jones* found that the government's installation of a GPS device on a vehicle was a physical intrusion into the vehicle, which was a search under the Fourth Amendment. The Court in *Jones* also found that the government's installation of a GPS device on a vehicle was a search under the Fourth Amendment, even though the government did not have a warrant. The Court in *Jones* found that the government's installation of a GPS device on a vehicle was a search under the Fourth Amendment, even though the government did not have a warrant. The Court in *Jones* found that the government's installation of a GPS device on a vehicle was a search under the Fourth Amendment, even though the government did not have a warrant.

EXHIBIT C

STATE OF MICHIGAN

IN THE 14TH JUDICIAL CIRCUIT COURT FOR THE COUNTY OF MUSKEGON

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THE PEOPLE OF THE  
STATE OF MICHIGAN,

File No. 20-000881-FH

Plaintiff,

Hon. Annett Smedley

vs.

ANTONIO MCMANN

Defendant.

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MUSKEGON COUNTY PROSECUTOR  
Attorney for Plaintiff  
Daniel L. Short (P79264)  
Hall of Justice, Fifth Floor  
990 Terrace Street  
Muskegon, MI 49442  
(231) 724-6435

PRO PER  
Attorney for Defendant

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**PLAINTIFF'S RESPONSE TO DEFENDANTS MOTION**

Defendant argues that the people have ignored three discovery requests. The people have received no formal discovery request. At the time of the preliminary examination all reports were turned over to the public defender's office that represented Mr. McMann at the time. It is unknown if they turned those reports over to Mr. McMann when he chose to represent himself. We can provided another copy if he was not given that report. Additional evidence including video has been requested. Mr. McMann will be given access to the evidence when we receive it.

There is not a "jail house" informant on the people witness list.

Access to the law library is controlled by the jail and out of the people's control. Mr. McMann's religious complaints are against the jail and outside of the people's control.

In regards to Mr. McMann's speedy trial rights the Supreme Court of Michigan has delayed all jury trials until at least June 22, 2020 in administrative order 2020-10.

Defendant was allowed to represent himself for the preliminary examination. The case was adjourned after the defendant filed a motion accusing the public defender's office violations and he was appointed a conflict attorney. The case was adjourned to give Mr. McMann time to speak to his conflict attorney. At the next preliminary exam date Mr. McMann was advised against firing his attorney but was allowed to represent himself.

#### ARGUMENT

The people will turn over discovery to the defendant. The defendant's complaints about the jail are outside of the people's control. There has been no violation of the defendant rights to a speedy trial.

The defendant has provided no law or information that would justify a dismissal of the case.

The people would be happy to have a pretrial set to allow for meaningful conversations about this case. The defendants bond is appropriate in light of his history of failing to appear for court in file 18-006367-FH. The people would oppose any reduction in the defendants bond.

Respectfully submitted,

*Daniel L. Short*

Dated: May 21, 2020

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By: DANIEL L. SHORT (P79264)  
Assistant Prosecuting Attorney

STATE OF MICHIGAN

IN THE 14TH CIRCUIT COURT FOR THE COUNTY OF MUSKEGON

THE PEOPLE OF THE  
STATE OF MICHIGAN  
Plaintiff,

v

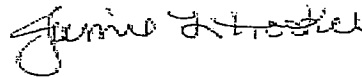
ANTONIO MCMANN,  
Defendant.

File No. 20-000881-FH

HON. ANNETTE R. SMEDLEY

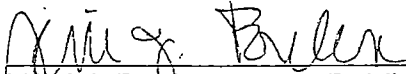
PROOF OF SERVICE

Jamie L. Hooker, of the Prosecuting Attorney's Office, Muskegon County, Michigan, being duly sworn, deposes and says that on this 26<sup>th</sup> day of May, 2020, she sent a copy of the Plaintiff's Response to Defendant's Motion in the above-entitled matter to Antonio McMann, defendant, by inner-office mail.



Jamie L. Hooker

Subscribed and sworn to before me  
May 26, 2020.



Terri J. Poulin, Notary Public  
Muskegon County, Michigan  
My Commission Expires: 09/29/2020  
Acting in the County of Muskegon